

SEPTEMBER 11, 2014

**PORTION OF 2500, 2620 OLD HENDERSON
RD**

ZONE CHANGE

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use: Commercial	
Acreage: 0.323	
Applicant: West Parrish Plaza, LLC; City of Owensboro c/o City Utility Commission (1409.1911)	
Surrounding Zoning Classifications:	
North: I-1	South: B-4
East: B-4	West: I-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Business Plan Area where General Business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – Building and lot patterns should conform to the criteria for “Nonresidential Development” (D7), and outdoor storage yards, with “Buffers for Outdoor Storage Yards” (D1).

(b) Logical zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Review

GENERAL LAND USE CRITERIA

Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO119 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

Urban Services

All urban services, including sanitary sewer, are available to the site.

Development Patterns

Currently, a storage unit facility is in operation on one of the properties and an OMU water tower is on the other property. The adjoining properties to the south at 2419 and 2425 W Parrish

Avenue are zoned B-4 General Business. A portion of the subject property at 2500 Old Henderson Road, which was formerly a portion of 2419 W Parrish Avenue, was rezoned from B-4 General Business to I-1 Light Industrial in December 2013 and consolidated with 2500 Old Henderson Road in January 2014. The applicant is now requesting this revert back to the original zoning.

The applicant proposes to consolidate these portions of the subject properties with the existing B-4 properties to the south, 2419 and 2425 W Parrish Avenue and use the properties for commercial purposes. A minor subdivision plat consolidating these portions of the subject properties with the adjoining properties to the south has been submitted for approval but currently cannot be approved because of the unlike zoning classifications. Final Development Plans have been approved for the properties involved and will need to be updated. Additionally vehicular use areas are required to be paved and vehicular use area screening shall be installed where adjacent to the road right-of-way.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposed use as commercial conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the south and east. The proposal is not a significant increase in general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

The planning staff recommends approval subject to the conditions and findings of fact that follow:

Conditions:

1. Approval of a Minor Subdivision Plat consolidating the portions of the subject properties with the properties to the south.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community’s adopted Comprehensive Plan;
2. The subject property is located in a Business Plan Area where general business uses are appropriate in limited locations;
3. The proposed use as commercial conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the south and east; and,
5. At 0.323 acres, the proposal does not significantly increase the extent general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.